

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LARRY FULLEWELLEN,  
  
Plaintiff,  
  
-against-  
  
CITY OF NEW YORK,  
  
Defendant.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 3/10/2022

1:21-cv-07219-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

The Court set a briefing schedule for Defendant's Motion to Dismiss *pro se* Plaintiff's Complaint. [ECF No. 14]. Defendant's Motion to Dismiss is due on March 14, 2022. [ECF No. 14].

Defendant has filed a letter requesting a two-week extension of the deadline to file its Motion to Dismiss. [ECF No. 15]. Defendant claims that Plaintiff has changed his address, but never updated his service address on the docket, and as such, all mail correspondence to Plaintiff has been marked as undeliverable and returned. [ECF No. 15].

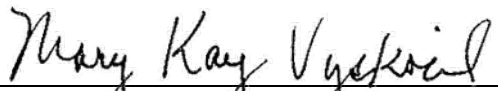
On September 14, 2021, the Court entered an Order of Service in this matter. [ECF No. 6]. In that Order, which was served on Plaintiff, the Court admonished Plaintiff that he "must notify the Court in writing if Plaintiff's address changes, and the Court may dismiss the action if Plaintiff fails to do so." [ECF No. 15]; *see also Anderson v. Annucci*, No. 17-CV-07973 (VSB), 2020 WL 1082393, at \*2 (S.D.N.Y. Mar. 6, 2020) (dismissing a *pro se* Plaintiff's Complaint for failure to prosecute after Plaintiff failed to update his address on the docket).

As such, Defendant's request is DENIED. Defendant's Motion to Dismiss is due on March 14, 2022. Defendant shall file on the docket an affidavit of service reflecting that service of the motion was made by mail at Plaintiff's last known address.

The Clerk of Court is respectfully requested to mail a copy of this Order to the *pro se* Plaintiff at the address of record.

**SO ORDERED.**

**Dated:** New York, NY  
March 10, 2022

  
\_\_\_\_\_  
MARY KAY VYSKOCIL  
United States District Judge